



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2107986

Applicant Name: Seattle Housing Authority (SHA) and Sisters of Providence Housing, Michael Fancher & Assoc Architects.

Address of Proposal: 4500 Martin Luther King Jr. Way South

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish the use for the future construction of a four-story mixed use building with 78 units for affordable elderly housing on floors 2 through 4. The first floor will be an adult day care and health facility. Parking for 49 vehicles will be provided on grade.

The following approvals are required:

SEPA - Environmental Determination - Chapter 25.05, (SMC)

Design Review - Chapter 23.41, (SMC)

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND DATA

Site Description

The 37,000 square foot project site is located at the southwest corner of Martin Luther King Jr. Way South and South Columbian Way. The site measures 337 feet in width

along MLK Jr. Way South and 110 feet deep. The site slopes approximately 12 feet from its northwest corner to its southeast corner. The site is located in a Neighborhood Commercial 2 zone with a 40-foot height limit.

Area Development

The Master Plan for the redeveloped Rainier Vista proposes mixed use along MLK and residential buildings with a range of heights and density. The project is a component of SHA's Rainier Vista HOPE VI Redevelopment project (MUP 2000638). The building will accommodate Providence Health System's Gamelin House, a day care program for seniors. Other commercial use(s) will be located on the ground level.

Project Description

The applicant proposes to build the structure at the streets' property lines. The structure would occupy approximately 2/3s of the site. The main access to the structure is proposed from the abutting alley in the rear. Surface parking for 49 cars is proposed in the rear.

Public Comment

No comment letters were received during the official comment period which ended August 14, 2002.

ANALYSIS - DESIGN REVIEW

This project was subject to the design review program. The designers received initial early design guidance at a design review meeting February 12, 2002.

PUBLIC COMMENT

Many local residents were present at the meeting on February 12, 2002, however, only a few comments were made: one was seeking clarification on the location of the entrance to the building, the other comment was related to the proposed day-care program.

PRIORITIES:

After visiting the site, considering the analysis of the site and context provided by the proponents and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those siting and design guidelines found in the City of Seattle's *"Design Review: Guidelines for Multifamily and Commercial Buildings"* and the *"Rainier Vista Design Guidelines"* of highest priority for this project:

A-2: Streetscape Compatibility.

The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

and

A-3: Entrances Visible from the Street.

Entries should be clearly identifiable and visible from the street.

and

A-4: Human Activity

New development should be sited and designed to encourage human activity on the street.

and

A-6: Transition Between Residence and Street.

For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

The Board noted that all of the above guidelines must be of high priority for the project. The Board recommended that the 337-foot-long building façade along MLK should incorporate a prominent, more formal residential entry. Providing substantial transparency along public streets should be one of the main design objectives for the street-level façade. Weather protection for pedestrians along MLK is highly recommended. While understanding the nature of the future use of the main level (a senior day-care facility), the Board felt that the design should maximize street/building interaction (views into the building, inviting entries, amenities for pedestrians and transit users, lighting along the façade, attractive building landscaping, etc.)

A-7: Residential Open Space.

Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

The applicant noted that approval of a departure from the required amount of residential open space might be needed for the project. The Board would consider recommending the departure if the project includes a functional, well-designed connection to the proposed park across the alley (more information would be needed on the design and uses of the park in considering the request for this departure). The Board also noted that the design should include a formal entry to the building from the alley for the users of the day-care program. The Board recommended use of special features such as distinct pavers and special landscaping at the main entry to this space from the alley.

A-8: Parking and Vehicular Access.

Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

The Board noted that locating parking under the building along Oregon Street would present a design challenge to the architect. Presence of the parking should be minimized

along the Oregon Street frontage. Screening of the parking should create an attractive and safe pedestrian environment along this street.

A-10: Corner Lots.

Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

The proposed building will be located at the most prominent intersection of the future neighborhood. The street corner of the building will be highly visible to drivers, pedestrians and transit users. The Board felt that it is very important that the design of this portion of the building relates to both streets and provides visual and physical access to the project from the corner. The applicant should consider incorporating special architectural features and a prominent entry at this location.

B-1: Height, Bulk and Scale Compatibility.

Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

Due to the scale of this building and its length along MLK, this guideline is one of the most important for the project. The proposed setback from the alley and from the adjacent residential zone in the back could create a needed transition to the low-height and low-density area and the proposed park. The perceived length of the building along the streets should be minimized by the use of articulation, varied modulation, greater transparency, prominent entries, varied exterior materials and design elements.

C-3: Human Scale.

The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

and

C-4: Exterior Finish Materials.

Building exterior should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

and

D-1: Pedestrian Open Spaces and Entrances.

Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

and

D-2: Blank Walls.

Buildings should avoid large walls facing the street, especially near sidewalks.

Please refer to the comments above related to the desired quality of the design of the street-level portion of the building.

D-6: Screening of Dumpsters, Utilities and Service Areas.

Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible.

The applicant proposes to provide an entrance to the day-care facility from the alley. Since the alley entrance would be the main entrance, the Board recommends that this entry be designed as a formal entry (refer to the comments above). In addition, a public park will be located directly across the alley. The service elements are also proposed along the alley façade. Therefore, the Board felt that it is very important that all service elements are exceptionally well-screened from the public view.

D-7: Personal Safety and Security.

Project design should consider opportunities for enhancing personal safety and security in the environment under review.

The building should be designed to enhance safety and security by maximizing transparency, use of pedestrian-level lighting and thoughtful landscaping.

E-2 Landscaping to Enhance the Building and/or Site.

Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

Please refer to the comments above related to the recommended landscaping for the project.

In addition to the referenced above City-wide guidelines, the following specific *Rainier Vista Design Guidelines* were identified for the project:

A. Natural Systems

1. Open Space

- a. A variety of safe open spaces, both passive & active, should be provided for residents and neighbors.

6. Recreation Facilities

- a. Recreation facilities should be provided which consider the needs and desires of the community and surrounding residents, and policies and standards in the Park and Open Space Comprehensive Plan by the City of Seattle.

B. Land Use and Transportation

1. It should be ensured that trees and adequate planting strips are installed along MLK Jr. to mitigate increase in noise and traffic due to the light rail line. (A-1, A-2, D-7)
2. Adequate and safe parking that is clearly defined should be provided for residents. (A-8)
8. These business spaces should be sized to encourage services for pedestrians, including neighborhood residents and users of the light rail transit, while not detracting from the commercial viability of other commercial areas in the vicinity. This area should be developed with a pedestrian oriented neighborhood character with wide sidewalks, street trees, lighting, and storefronts with weather protection, on-street parking, and signaled crosswalks at South Alaska and at the proposed Oregon Boulevard. (A-3, A-4, A-8, A-9, C-1, C-2, C-3, D-1)
9. The existing Columbian Way that bisects Rainier Vista should be redeveloped as a landscaped pedestrian-oriented internal Boulevard and connected to the existing South Oregon Street at the east edge of Rainier Vista. (A-3, A-4, A-8, A-9, D-1)
15. Housing should generally front the streets with entries, porches and/or stoops. Design elements of housing units should reinforce the streetscape character and further articulate the transition between public, semipublic and private space. (A-2, A-3, A-6)
16. Alleys should provide access for on-site residential parking spaces, police security surveillance, garbage collection and other service-related functions. They should be wide enough for these functions but narrow enough to restrict the speed of any traffic in order to provide for resident safety. (D-6)
17. Streetscape plans should be developed to allow the use of streetscape design as an organizing element of the site. Streetscapes should enhance different operational and visual aspects of the street and augment the differing character of sub-areas within the community. (A-2)
 - a. Martin Luther King Junior Way South: Streetscape character should distinguish between commercial and residential, while integrating mixed use frontage with Sound Transit concepts and the proposed station area. Major street crossings should be emphasized to promote safety. Landscaping should utilize street tree species with a maximum of 30'-35' tree spacing.

C. Buildings

4. General neighborhood guidelines for buildings in medium density housing and mixed use housing areas: (B-1, C-1, C-2, C-3, C-4, C-5)
 - b. On commercial street frontages emphasize commercial uses at ground level (see guidelines B8-10). Residential uses should also be oriented to the commercial

street with entrances and lobbies off the sidewalk and residential units on upper floors incorporating territorial views of the streetscape or other desirable features.

5. Develop a common pattern of building types for medium density housing and mixed use housing that includes enough variation of form, plan and detail to ensure diversity in the appearance of the housing. (B-1, C-1, C-2, C-3, C-4)
 - a. Utilize a pallet of building types which are compatible in scale, character, and architectural details with each other as well as with the adjacent low-density housing.
 - c. Use modulation, setbacks, and variety in structure height to increase the sense of diversity in the appearance of the housing and also to mitigate the impact of juxtaposition with smaller structures in adjacent low density areas (potential request for design departure for setbacks, modulation, and structure width).

For specific recommendations of the Board please refer to the comments above.

Additional Comments for the applicant:

The proposed building will be located at the most prominent intersection of the future neighborhood. The project has a block-length street frontage along the main arterial of the area. Many of the neighborhood residents would be users of the future light rail system along MLK which would result in a substantial pedestrian traffic both along MLK and South Oregon Street. The project will be exposed to the transit users as well. These considerations among others listed by the Board necessitate particular care to the project's overall design quality and to the appropriate design of the street-level portion of the building in particular. DCLU staff had comments and concerns about a number of the project's features as presented at the February 12, 2002 meeting.

The second design review meeting was held on September 24, 2002. The architect presented the design and the design response to the identified guidelines. Several departures from the land use code were requested.

Departures from the Code Standards:

The applicant requested the following departures from the applicable development standards:

- Quantity of the required residential open space (Section 23.47.024A);
- Minimum landscaping for the rooftop space (section 23.47.024B6);
- Façade requirements, maximum size of a blank wall (Section 23.47.016E);
- The 5-foot landscaped setback along street façade for the portion containing parking at grade (Section 23.47.014F3);
- Minimum width of a two-way driveway for commercial uses (Section 23.54.030D);
- Screening of parking along residentially zoned lot (Section 23.47.016D); and

- Outdoor activities within 50 feet from a residentially zoned lot (Section 23.47.011).

PUBLIC COMMENT:

No members of public were present at the public meeting on September 24, 2002.

GENERAL BOARD DISCUSSION

The Board appreciated the proposed overall design concept and the specific elements and changes to the design introduced by the applicants following the initial guidance meeting and the application for the Master Use Permit. The Board also noted the proposed contrasting exterior colors for the two distinct portions of the structure.

Final recommendations of the Board are summarized below:

DECISION - DESIGN REVIEW

After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the four Design Review Board members present unanimously recommended **approval** of the subject design and development standard departures.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated September 5, 2002 and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short - Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulate from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Storm water, Grading and Drainage Control Code (SGDCC) regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

Long - Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; and increased demand for public services and utilities.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Storm water, Grading and Drainage Control Code which requires on site detention of storm water with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

CONDITIONS - SEPA

None.

Signature: (signature on file) Date: November 24, 2003
Holly J Godard, Land Use Planner
Department of Planning and Development

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